

FACT SHEET

Running for State House and State Senate

2012 Elections

- 1.) How do individuals get on the ballot for the primary election? ($\S 163-106$, 107, 108)
 - Candidates must file a notice of candidacy with the county board of elections in the county of their residence and pay a filing fee of 1% of the annual salary of the office sought to the county board of elections. Notice of candidacy forms may be obtained at the county board of elections prior to the date on which candidates may commence filing.
 - Candidates must be a registered voter of the same political party in which he or she intends to file (an individual changing party affiliation, must do it 90 days prior to the date the candidate files).
 - All candidates must, at the time of filing a Notice of Candidacy, file a certificate signed by the chairman or the director of the county board of elections where they are registered to vote. The certification shall state the party with which the person is affiliated, and that the person has not changed affiliation in the past three months.
 - In addition, the Notice of Candidacy will inquire about any previous felony convictions of the candidate and will require a further report on them.
 - A candidate may not file for more than one office in the same election.
 - A filed primary candidate remaining unopposed at the time filing closes will be certified as their party nominee without the need for a primary.
 - The winners of the party primaries or certified nominees will be listed on the General Election ballot as the nominee of their party for the office they filed for.
- 2.) When is the filing period? ($\S 163-106(c)$)
 - Begins 12:00 Noon Monday, February 13, 2012.
 - Ends 12:00 Noon Wednesday, February 29, 2012.
- 3.) If a candidate wishes to run unaffiliated, they need to review GS 163-122 and the fact sheet on running as an unaffiliated candidate. If the candidate wishes to run as a write-in, they need to review GS 163-123 and the fact sheet on running as a write-in candidate.

4.) When are the elections? ($\S 163-1$)

- Primary The Tuesday after the first Monday in May preceding the general election. **Tuesday, May 8, 2012.**
- Second Primary If a second primary is required it shall be ordered by the appropriate board of elections, State or County, seven weeks after the first Primary.
- No Third Primary is permitted.
- General Election The Tuesday after the first Monday in November. **Tuesday**, **November 6, 2012.**

5.) What are the qualifications for North Carolina's General Assembly? (N.C. Const. Art. 2 Sec. 6, 7;

Art. 6 Sec. 6)

- Senate An individual must be at least 25 years of age, a qualified North Carolina voter, a resident of the State for two years, and a resident of the district for one year preceding the general election in November.
- House An individual must be at least 21 years of age, a qualified voter of the State, and a resident of the district for one year preceding the general election in November.
- Terms Senate (2 years) House (2 years)
- Members of the North Carolina General Assembly Senate (50) House (120)

6.) What are the Campaign Reporting filing requirements? (§163-278.9)

The Campaign Reporting Act requires financial disclosure of all political activities. Law provides that reports are due to be filed at the State Board of Elections Campaign Reporting Office for candidates in the 2010 Elections. The time of filing of these reports and the types of reports will vary by the type of campaign. Every candidate will be responsible for their compliance with campaign finance mandates. A Candidate Campaign Finance Manual is available on-line on the State BOE website.

It is required that all campaign committee treasurers receive training in handling campaign finance reports and law. This can be accomplished on-line or in-person at numerous training sessions being offered.

IT IS IMPORTANT TO NOTE THAT: An organizational report must be filed with the State Board of Elections within ten days of becoming a candidate. Being a candidate includes taking positive action for the purpose of obtaining nomination or being elected, soliciting or receiving contributions, making expenditures to enhance a campaign, or filing a notice of candidacy, whichever comes first. The report can be found on-line and the Campaign Finance Division is available to help you with the filing.

7.) Are there other filings required of Legislative candidates?

North Carolina General Statute § 138A-22(d), as part of the State Government Ethics Act requires that certain "covered persons" file a statement of economic interest at the time they file for office. Currently, Legislative candidates would be considered such "covered persons". As to who is "covered" please see GS §138A-11 and refer to the State Ethics Commission. You may obtain copies of this candidate statement of economic interest form from the State Ethics Commission or a board of elections.